

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

THE UNITED STATES OF AMERICA

vs.

Case Number 99-170-02 (CCC)

CARLOS EMILIO SILVA-GALINDO

* * * * *

**MOTION NOTIFYING VIOLATIONS OF SUPERVISED
RELEASE CONDITIONS AND REQUEST FOR A SUMMONS**

**TO THE HONORABLE CARMEN CONSUELO CEREZO
U.S. DISTRICT JUDGE
DISTRICT OF PUERTO RICO**

COMES NOW, DAMARYS I. TELLADO, U.S. PROBATION OFFICER of this Court, presenting an official report upon the conduct and attitude of releasee, Carlos Emilio Silva-Galindo, who on December 10, 2001, was sentenced to eighty-seven (87) months of imprisonment and three (3) years of supervised release after having been convicted of violating Title 21 U.S. Code, Section 846. As special conditions of said supervision term, the releasee is to submit to urinalysis and participate in a substance abuse treatment program if the use of illegal substances is detected. In addition, he is to provide the officer access to financial information upon request as well as evidence of income tax filing.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR
CAUSE AS FOLLOWS:**

Releasee has not complied with the following conditions of his supervised release term:

1. VIOLATION OF STANDARD CONDITION NO. 3- “THE DEFENDANT SHALL ANSWER TRUTHFULLY ALL INQUIRES BY THE PROBATION OFFICER AND FOLLOW THE INSTRUCTIONS OF THE PROBATION OFFICER.”

The releasee has been instructed on many occasions to submit evidence of his job seeking efforts. He has not done so and on October 21, 2005, he explicitly stated that he chose not to follow the undersigned’s instructions regarding the above-mentioned.

2. VIOLATION OF STANDARD CONDITION NO. 5- “THE DEFENDANT SHALL WORK REGULARLY AT A LAWFUL OCCUPATION, UNLESS EXCUSED BY THE PROBATION OFFICER FOR SCHOOLING, TRAINING, OR OTHER ACCEPTABLE REASONS.”

Mr. Silva-Galindo was released from the Hogar Crea Halfway House on May 7, 2004, to commence his term of supervised release. Since the onset of supervision, he has not secured a stable employment.

WHEREFORE, I declare under penalty of perjury, that the foregoing is true and correct. In view of the aforementioned violations, it is respectfully requested that the Court order that a summons be issued ordering Mr. Silva-Galindo to appear before this Court to show cause why his supervised release term should not be revoked; thereupon, he be dealt with pursuant to law.

In San Juan, Puerto Rico, this 28th day of October 2005.

Respectfully submitted,

s/Damarys I. Tellado
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 28, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following : Assistant U.S. Attorney, Sonia Torres and to defense counsel, Luis M. Chaves-Ghigliotty.

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